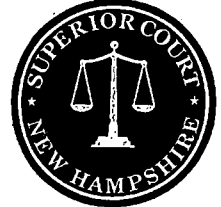


**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT**

Hillsborough Superior Court Northern District
300 Chestnut Street
Manchester NH 03101

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<http://www.courts.state.nh.us>

SUMMONS IN A CIVIL ACTION



Case Name: **Donna Gabert v Dollar Tree Stores, Inc.**
Case Number: **216-2020-CV-00869**

Date Complaint Filed: December 10, 2020

A Complaint has been filed against Dollar Tree Stores, Inc. in this Court. A copy of the Complaint is attached.

The Court ORDERS that ON OR BEFORE:

January 28, 2021 Donna Gabert shall have this Summons and the attached Complaint served upon Dollar Tree Stores, Inc. by in hand or by leaving a copy at his/her abode, or by such other service as is allowed by law.

February 18, 2021 Donna Gabert shall electronically file the return(s) of service with this Court. Failure to do so may result in this action being dismissed without further notice.

30 days after Defendant is served Dollar Tree Stores, Inc. must electronically file an Appearance and Answer or other responsive pleading form with this Court. A copy of the Appearance and Answer or other responsive pleading must be sent electronically to the party/parties listed below.

Notice to Dollar Tree Stores, Inc.: If you do not comply with these requirements you will be considered in default and the Court may issue orders that affect you without your input.

Send copies to:

Ray Raimo, ESQ
Dollar Tree Stores, Inc.

Raimo & Gallagher PC 62 Stark St Manchester NH 03101
500 Volvo Parkway Chesapeake VA 23320

BY ORDER OF THE COURT

December 14, 2020

W. Michael Scanlon
Clerk of Court

(126849)

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.
NORTHERN DISTRICT

SUPERIOR COURT

Donna Gabert,)	
)	
Plaintiff)	No. 216-2020-CV-00869
)	
v.)	CIVIL ACTION
)	
Dollar Tree Stores, Inc.,)	JURY TRIAL DEMANDED
Defendant)	
)	

COMPLAINT

Parties

1. The plaintiff resides at 11 Barr Street, Unit 1, Manchester, NH 03102.
2. The defendant, Dollar Tree Stores, Inc., is a Virginia Corporation with principle office at 500 Volvo Parkway, Chesapeake, VA 23320 and at all times material to this action, through its agents, employees and affiliates was engaged in retail business at Dollar Tree Store #7155, located at 586 Valley Street, Manchester, NH 03103.

Jurisdiction and Venue

3. This Court has jurisdiction over this matter pursuant to NH RSA 491:7.
4. Venue is proper in this Court pursuant to NH RSA 507:9.

Facts

5. On or about January 28, 2018, in the afternoon, the plaintiff was on the premises of the defendant for the purpose of purchasing various items. While on the premises of the defendant's store the plaintiff, suddenly and without warning, slipped on a substance on the walkway and fell violently.
6. Dollar Tree Stores, Inc. had a duty to use reasonable care under all the circumstances in the maintenance and operation of the store premises.

-2-

7. The defendant had a duty to maintain the store premises in a reasonably safe condition.
8. The defendant had a duty to exercise reasonable care to prevent slippery material from accumulating and remaining on walkways on the premises.
9. The defendant had a duty to exercise reasonable care in the maintenance of the premises such that the defendant, its agents and/or employees, knew, or should have known, that slippery material was present on the store walkway creating an unreasonable risk of harm to the plaintiff and other customers on the store premises.
10. The defendant had a duty to warn the plaintiff of dangerous conditions on the store premises.
11. Despite the duties aforesaid, and negligently, Dollar Tree Stores, Inc. failed to use reasonable care in the maintenance of the business premises, failed to maintain the store premises in a reasonably safe condition, allowed slippery material to remain on the premises causing an unreasonable risk of harm to the plaintiff, and failed to warn the plaintiff of the dangerous condition, causing the plaintiff to fall and to suffer serious bodily injury.
12. As a result of the defendant's breach of duty, the plaintiff suffered acute and permanent bodily injury, requiring her to incur medical expenses, to lose wages, and to endure great pain and suffering, now and in the future.

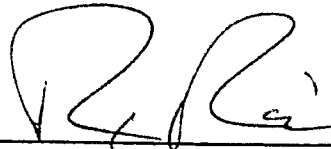
Damages

13. The plaintiff claims damages within the jurisdictional limits of this Court.

Jury Trial

14. The plaintiff requests a jury trial.

Respectfully submitted
DONNA GABERT
By HER Attorney:



RAY RAIMO #2093
RAIMO & GALLAGHER, PC
62 STARK STREET
MANCHESTER, NH 03101
(603) 625-2152

Date: December 10, 2020

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT**

Hillsborough Superior Court Northern District
300 Chestnut Street
Manchester NH 03101

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<http://www.courts.state.nh.us>

NOTICE TO DEFENDANT

Case Name: **Donna Gabert v Dollar Tree Stores, Inc.**
Case Number: **216-2020-CV-00869**

You have been served with a Complaint which serves as notice that this legal action has been filed against you in the **Hillsborough Superior Court Northern District**. Review the Complaint to see the basis for the Plaintiff's claim.

Each Defendant is required to electronically file an Appearance and Answer 30 days after service. You may register and respond on any private or public computer. For your convenience, there is also a computer available in the courthouse lobby.

If you are working with an attorney, they will guide you on the next steps. If you are going to represent yourself in this action, go to the court's website: www.courts.state.nh.us, select the Electronic Services icon and then select the option for a self-represented party.

1. Complete the registration/log in process. Click Register and follow the prompts.
2. After you register, click Start Now. Select **Hillsborough Superior Court Northern District** as the location.
3. Select "I am filing into an existing case". Enter **216-2020-CV-00869** and click Next.
4. When you find the case, click on the link and follow the instructions on the screen. On the "What would you like to file?" screen, select "File a Response to Civil Complaint". Follow the instructions to complete your filing.
5. Review your Response before submitting it to the court.

IMPORTANT: After receiving your response and other filings the court will send notifications and court orders electronically to the email address you provide.

A person who is filing or defending against a Civil Complaint will want to be familiar with the Rules of the Superior Court, which are available on the court's website: www.courts.state.nh.us.

Once you have registered and responded to the summons, you can access documents electronically filed by going to <https://odypa.nhecourt.us/portal> and following the instructions in the User Guide. In that process you will register, validate your email, request access and approval to view your case. After your information is validated by the court, you will be able to view case information and documents filed in your case.

If you have questions regarding this process, please contact the court at 1-855-212-1234.

Merrimack County Sheriff's Office

ROBERT P. KRIEGER
333 Daniel Webster Hwy
Boscawen, NH 03303
Phone: 603-796-6600

DOLLAR TREE STORES, INC
10 FERRY ST 313
CONCORD, NH 03301

AFFIDAVIT OF SERVICE

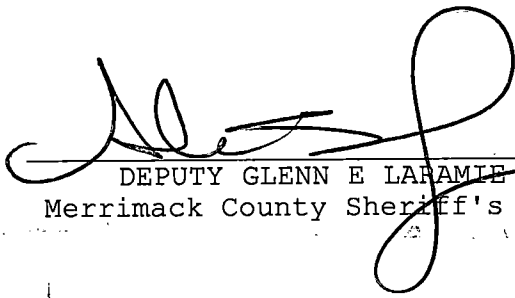
MERRIMACK, SS

12/ 23 /2020

I, DEPUTY GLENN E LARAMIE JR, on this date at 11:14 a.m./p.m., summoned the within named defendant DOLLAR TREE STORES, INC as within commanded, by leaving at the office of Registered Agent Corporation Service Company, 10 Ferry Street, Suite 313, Concord, said County and State of New Hampshire, its true and lawful agent for service of process under and by virtue of Chapter 293-A New Hampshire RSA, as amended, a true and attested copy of this Summons and Complaint.

FEES

Service	\$25.00
Postage	1.00
Travel	15.00
TOTAL	<u>\$41.00</u>


DEPUTY GLENN E LARAMIE JR
Merrimack County Sheriff's Office

A True Copy Attest


Deputy Sheriff